

REMARKS

The Applicant requests reconsideration and allowance of claims 23 through 35 in view of the above amendments and the following arguments.

I. AMENDMENTS TO THE CLAIMS

Independent claims 23, 29, and 34 have been amended to require that the player station is enabled to display the game play outcomes for a game ticket based solely on the machine readable game play information on the ticket and without reading the result codes formed on the game ticket. Support for this amendment can be found at page 12, lines 1-15 of the present application. No new matter has been added by these amendments to the claims.

II. AMENDMENTS TO THE SPECIFICATION

The specification has been amended to correct typographical errors. No new matter has been added by these amendments to the specification.

III. AMENDMENTS TO THE DRAWINGS

The attached Replacement Sheet replaces the original drawing sheet containing Figure 1. As indicated in the attached replacement drawing sheet, Figure 1 has been amended to correct the misnumbering of the reference number corresponding to the POS in casino floor device group 16 from 31 to --18--. Support for this amendment can be found on page 8, lines 9-11 of the specification of the present application. No new matter has been added by this amendment to the Drawings.

1
2 **IV. THE CLAIMS ARE NOT ANTICIPATED BY KAMILLE**

3 The Office Action rejects claims 23-25, 28-30, and 33-35 under 35 U.S.C. §102(b) as
4 being anticipated by U.S. Patent No. 5,996,997 to Kamille ("Kamille" or the "Kamille patent").

5 The Applicant submits that amended independent claims 23, 29, and 34 are not anticipated by the
6 Kamille patent.

7
8 **Independent Claim 23**

9 Independent claim 23 is directed to a method for use in connection with a game ticket
10 having formed thereon both machine readable game play information and a number of directly
11 identifiable result codes, each result code being representative of a respective game play
12 outcome. Claim 23 also requires the following limitations:

- 13 (a) receiving the game ticket in a game ticket reader of a player station;
14 (b) reading the machine readable game play information with the game ticket reader,
15 the machine readable game play information specifying the game play outcomes
16 represented by the result codes formed on the game ticket;
17 (c) detecting whether the game ticket received in the game ticket reader includes a
18 cover over an area of the game ticket on which the result codes are formed;
19 (d) in the event that the detecting step indicates that the cover is present on the game
20 ticket, disabling the player station from displaying the game play outcomes
21 specified by the machine readable game play information that has been read with
22 the game ticket reader; and
23 (e) in the event that the detecting step indicates that the cover is absent from the game
24 ticket, enabling the player station to display the game play outcomes specified by
25 the machine readable game play information that has been read with the game
26 ticket reader, the player station being enabled to display the game play
27 outcomes based solely on the machine readable game play information and
28 without reading the result codes formed on the game ticket.

29 Kamille does not disclose displaying the game play outcomes for a game ticket based
30 solely on the machine readable game play information and without reading the result codes

1 formed on the game ticket as required by element (e) of claim 23. In contrast, Kamille discloses
2 that the outcomes for a game piece are identified by actually reading the codes/symbols located
3 on the revealed play areas. (See col. 13, lines 28-40 of Kamille). Reading the revealed
4 codes/symbols in Kamille is part of a two-step scoring and authentication process where the
5 revealed codes/symbols are read by the scoring device and then compared to the machine
6 readable verification code on the game piece. (See col. 13, lines 41-44 of Kamille). Therefore,
7 since Kamille discloses reading the codes/symbols from uncovered play areas on a game piece as
8 part of the scoring process, Kamille cannot teach or suggest a scoring device that is enabled to
9 display the game play outcomes based solely on the machine readable game play information and
10 without reading the result codes formed on the game ticket, as required by element (e) of claim
11 23.

12 Because Kamille does not disclose all of the limitations required by claim 23, the
13 Applicant submits that the Kamille patent does not anticipate claim 23. Therefore, the Applicant
14 respectfully requests that the anticipation rejection of claim 23 be withdrawn along with the
15 anticipation rejection of its respective dependent claims, claims 24, 25, and 28.

16
17 Independent Claims 29 and 34

18 Independent claims 29 and 34 are apparatus and program product claims, respectively,
19 that require limitations corresponding to the limitations required by elements (a) through (e) of
20 claim 23. In particular, claims 29 and 34 require that the player station is enabled to display the
21 game play outcomes for a game ticket based solely on the machine readable game play
22 information on the game ticket and without reading the result codes formed on the game ticket.

1 Since claims 29 and 34 require limitations corresponding to the limitations required by element
2 (e) of claim 23, the arguments presented above with respect to claim 23 apply with equal force to
3 independent claims 29 and 34.

4 Because the Kamille patent does not disclose all of the limitations required by claims 29
5 and 34, these claims are not anticipated by Kamille. For these reasons, the Applicant respectfully
6 requests that the anticipation rejections of claims 29 and 34 be withdrawn along with the
7 anticipation rejections of their respective dependent claims, claims 30, 33, and 35.

8
9 V. THE CLAIMS ARE NOT OBVIOUS OVER KAMILLE

10 The Office Action rejects claims 26, 27, 31 and 32 under 35 U.S.C. §103(a) as being
11 obvious over Kamille as applied to claims 23, 24, and 29. The Applicant submits that claims 26,
12 27, 31, and 32 are not obvious over the Kamille patent because Kamille does not teach or suggest
13 all of the limitations required by these claims.

14 In particular, Kamille does not teach or suggest all of the limitations required by
15 independent claims 23 and 29. As discussed above, Kamille does not teach or suggest enabling a
16 player station to display the game play outcomes for a game ticket based solely on the machine
17 readable game play information on the game ticket and without reading the result codes formed
18 on the game ticket. The obviousness rejection of claims 26, 27, 31, and 32 is based on
19 modifications to Kamille in order to meet the limitations required by these dependent claims.
20 However, none of the proposed modifications to Kamille make up for the deficiency in Kamille
21 with respect to independent claims 23 and 29. Since Kamille does not teach or suggest all of the
22 limitations required by independent claims 23 and 29, it also does not teach or suggest all of the

1 limitations of dependent claims 26, 27, 31, and 32. Claims 26, 27, 31, and 32 are therefore not
2 obvious in view of Kamille and are in condition for allowance along with independent claims 23
3 and 29.

4 Additionally, in rejecting claims 27 and 32, the Office Action relies on the rationale that
5 detecting a feature located on the substrate of a game ticket and detecting a feature located on the
6 cover of the game ticket are equivalent for the purpose of detecting whether the game ticket
7 includes the cover. The Office Action cites the specification of the present invention, particularly
8 paragraphs 0008 and 0009 of Patent Application Publication No. 2005/0020355 A1, to support
9 this rationale. However, MPEP §2144.06 states:

10 "In order to rely on equivalence as a rationale supporting an obviousness rejection, the
11 equivalency must be recognized in the prior art and cannot be based on applicant's
12 disclosure or the mere fact that the components at issue are functional or mechanical
13 equivalents. *In re Ruff*, 256 F.2d 590, 118 USPQ 340 (CCPA 1958)."

14 Since the Office Action only relies on Applicant's disclosure to support the obviousness rejection
15 based on equivalence, the Applicant submits that this obviousness rejection with respect to
16 claims 27 and 32 is improper and should be withdrawn.

17 The Applicant submits that claims 27 and 32 are entitled to allowance both for being
18 dependent on an allowable base claim, but also for the limitations that they directly add.

VI. CONCLUSION

For all of these reasons, the Applicant requests reconsideration and allowance of claims 23 through 35. If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, he is asked to telephone the Applicant's attorney Trevor Lind at the number listed below prior to issuing a further action.

Respectfully submitted,

The Culbertson Group, P.C.

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (Facsimile No. 571.273.8300) on July 4, 2006.

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